

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

AMERICAN MULTI-CINEMA, INC.,

Plaintiff,

v.

WOODSONIA HWY 281, LLC,
GREGORY C. SCAGLIONE,
CITY OF GRAND ISLAND, NEBRASKA,
and COMMUNITY REDEVELOPMENT
AUTHORITY OF THE CITY OF GRAND
ISLAND, NEBRASKA,

Defendants.

Case No. 8:25-cv-292

**MOTION TO DISMISS BY
DEFENDANT GREGORY C.
SCAGLIONE**

Pursuant to Federal Rule of Civil Procedure 12(b)(1) and 12(b)(6), Defendant Gregory C. Scaglione (“Scaglione”), hereby moves the Court for an Order dismissing with prejudice the claims of Plaintiff American Multi-Cinema, Inc., (“AMC”) asserted against Scaglione. For the reasons stated in Scaglione’s accompanying brief in support of this Motion filed contemporaneously herewith, AMC lacks standing and thus this Court lacks subject matter jurisdiction, and AMC’s Complaint fails to state a claim upon which relief can be granted against Scaglione. Moreover, no amendment to the Complaint could cure such pleading deficiencies relating to Scaglione.

WHEREFORE, Defendant Gregory C. Scaglione respectfully requests that the Court enter an Order:

(a) Dismissing with prejudice the claims alleged against Scaglione for failure to state a claim upon which relief can be granted against Scaglione;

(b) Finding that no amendment to the Complaint could cure the pleading deficiencies relating to Scaglione; and

(c) Granting Scaglione such other, further and different relief as this Court deems just and equitable.

DATED this 4th day of June 2025.

GREGORY C. SCAGLIONE, Defendant,

By: /s/ Adam R. Feeney
Adam R. Feeney, #25897
LAMSON DUGAN & MURRAY LLP
10306 Regency Parkway Drive
Omaha, NE 68114-3743
(402) 397-7300
afeeney@ldmlaw.com

Attorneys for said Defendant

CERTIFICATE OF SERVICE

On this 4th day of June 2025, I electronically filed the above and foregoing with the Clerk of Court using the CM/ECF system which sent notification of such filing to all CM/ECF participants.

/s/ Adam R. Feeney